

Remarks

Claims 16-26 are allowed. Claims 10 and 12 are amended. No new subject matter is added. Claims 1-30 remain pending. Reconsideration and allowance of claims 1-15 and 27-30 is requested in light of the following remarks.

In the Specification

The specification is objected to because the summary that was previously provided is allegedly not in accordance with 37 C.F.R. 1.173. The applicant disagrees.

37 C.F.R. 1.173 indicates that “a brief summary of the invention ... *should* precede the detailed description” and further that “[s]uch summary *should, when set forth*, be commensurate with the invention as claimed. Additionally, the brief summary “*may* include” a statement of the object of the invention. 37 C.F.R. 1.173. The use of the words “should,” “may,” and the phrase “when set forth” indicates that the brief summary is itself optional, as is the use of a statement of the object of the invention within the summary.

Since the current summary follows the instruction to be “commensurate with the invention as claimed,” the applicant respectfully submits that the summary is entirely in keeping with 37 C.F.R. 1.173 and requests that the objection to the specification be withdrawn.

Claim Rejections – 35 U.S.C. § 112

Claims 10-15 are rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the recitation of the terms “capable” and “can” in claims 10 and 12 are identified as problematic. Claims 10 and 12 are amended appropriately, and withdrawal of the rejections is requested.

Claim Rejections – 35 U.S.C. § 102

Claims 1-11, 13-15 and 27-30 are rejected under 35 USC 102(e) as being anticipated by U.S. Pat. No. 6,892,237 to Gai (“Gai”). The applicant respectfully disagrees. In order to anticipate these claims, Gai must show the identical invention in as complete detail as is contained in the claim. MPEP 2131.

Claim 1 recites “writing, to a shared memory accessible by multiple packet processing engines, a dynamic packet rule set, each rule specifying a packet offset, a data pattern, and an action code.” The OA alleges at page 3 that the recited shared memory corresponds to Gai’s element 324 (FIG. 3) and that the recited dynamic packet rule set that is written to the shared memory corresponds to Gai’s element 500 (FIG. 5).

According to Gai, element 324 is a regular expression storage device 324 (column 7, line 54), which includes both a CAM 304 (column 7, lines 54-55) and a RAM 320 (column 8, lines 8-13). FIG. 5 is a block diagram of the preferred format of an output 500 from RAM 320 (column 10, lines 59-60). Contrary to claim 1, Gai fails to teach that the output 500 is written to the regular expression storage device 324, nor does the OA contain sufficient evidence to support an inherency argument that the output 500 is written to the storage device 324 in the same format as shown in FIG. 5. See MPEP 2112(IV).

Furthermore, the term “data pattern” as recited in claim 1 is explicitly defined in the applicant’s specification (page 5, lines 5-6) as “[t]he data pattern for each rule specifies a data segment that is to be compared to each incoming packet.” The OA alleges at page 3 that Gai’s field 514 corresponds to the recited data pattern, but Gai actually teaches that “65-bit instruction-specific data area 514 ... contains data for executing the action or treatment specified by the op code of field 508.” Gai’s definition for the field 514 is clearly not the same as the applicant’s explicit definition for the recited “data pattern.”

For at least the above reasons, claim 1 is not anticipated by Gai because Gai does not show the identical invention in as complete detail as contained in the claim. MPEP 2131. Claims 2-9 are not anticipated by Gai at least because these claims inherently contain the features of claim 1.

Further regarding claims 2-3, the OA at page 4 states only the mere conclusion that “[m]asking is inherent in CAM.” This is not sufficient to support an inherency argument. MPEP 2112(IV).

Claim 10 recites “a local memory to store a rule table, the rule table organized with entries comprising a packet offset, a data pattern, and an action.” The OA alleges at page 4 that the recited local memory corresponds to Gai’s element 320 (FIG. 3), and that the recited rule table corresponds to the output 500 shown in Gai’s FIG. 5.

As was explained above for claim 1, the output 500 illustrated in Gai's FIG. 5 is the preferred format for the output of the RAM 320, and the OA does not adequately support an argument based on inherency. Claim 10 also recites "data pattern," and as was explained above for claim 1, Gai's field 514 is not equivalent to the applicant's explicit definition for the recited data pattern.

For at least the above reasons, Gai fails to anticipate claim 10 because it does not show the identical invention in as complete detail as contained in the claim. Claims 11 and 13-15 are not anticipated by Gai at least because these claims inherently contain the features of claim 10.

Claim 27 recites features that are similar to the ones identified above for claims 1 and 10. Consequently, Gai fails to anticipate claim 27 for at least the same reasons that were outlined for claims 1 and 10. Claims 28-30 are not anticipated by Gai at least because they inherently contain the features of claim 27.

Conclusion

For the foregoing reasons, reconsideration and allowance of claims 1-15 and 27-30 is requested. Please telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

Respectfully submitted,

MARGER JOHNSON & McCOLLOM, P.C.

A handwritten signature in black ink, appearing to read "Todd J. Iverson", written over a horizontal line.

Todd J. Iverson
Reg. No. 53,057

MARGER JOHNSON & McCOLLOM, P.C.
210 SW Morrison Street, Suite 400
Portland, OR 97204
503-222-3613
Customer No. 32231